

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Services – Handlooms and Textiles Department – Allegations of Corruption against Sri Golla Eshwar, Development Officer, O/o Assistant Director Handlooms and Textiles, (H&T), Nalgonda – Trap case – Prosecution Sanction Order – Issued.

INDUSTRIES & COMMERCE (VIGILANCE) DEPARTMENT

G.O.Rt.No. 325

Dated.21.05.2012.

O R D E R:

Whereas, Sri Golla Eshwar, S/o Narsaiah, joined Government service on 12.05.1995. He worked as Development Officer, O/o Assistant Director, Handlooms and Textiles, Nalgonda from 07/2009 to 11-01-2011 and by virtue of the post held by him falls under category of public servant as defined under clause (c) of section 2 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988);

2. And whereas, it is alleged that, Sri Varkala Chandrasekhar S/o Ramulu, age: 27 years, Occ: Weaver. R/o H.No.5-88, Puttapaka Village, Narayanapur Mandal, Nalgonda District came to O/o Deputy Superintendent of Police, Anti Corruption Bureau, Hyderabad Range, Hyderabad on 10.01.2011 at 11.00 hours and lodged a complaint stating that he along with about hundred (100) persons of Weavers community of their village formed a Society styled as "Sri Bhavanarushi Mixed Handloom Weavers Co-operative Production and Sales Society Limited" in the year 2005 and got it registered with Assistant Director, Handlooms & Textiles, Nalgonda. Sri Samala Peddaiah was the President, Sri Kolanu Govardhan was the Secretary and seven others including complainant were elected as its Directors. As Sri Kolanu Govardhan was not performing duties of the Society properly, the General Body meeting of the society was convened on 29.03.2009, in which Sri Kolanu Govardhan, Secretary was removed and the complainant was elected as its Secretary. After that, Sri Varkala Chandrasekhar and President of the Society had submitted a petition to the Assistant Director, Handlooms and Textiles (H&T) Nalgonda alleging that Sri Kolanu Govardhan abused his powers and committed irregularities as Secretary of the Society during his tenure and informed about the election of Sri Varkala Chandrasekhar as Secretary. The Assistant Director, Handlooms and Textiles, Nalgonda, appointed the Sri Golla Eshwar, as Inspecting Authority in October, 2009 to enquire into the irregularities committed by Sri Govardhan and to submit a report. Accordingly Sri G.Eshwar, conducted enquiry by examining the Directors and also other members of the Society, but he did not submit any report. Due to non-submission of a report by Sri Golla Eshwar the routine work of the Society was crippled. In the last week of December, 2010, Sri V.Chandrasekhar along with Sri Samala Peddaiah, President met Sri Golla Eshwar and requested him to expedite the report and to ensure the smooth functioning of their society. On that, Sri Golla Eshwar demanded a bribe amount of Rs. 5000/-, (Rupees Five thousand only), but they stated that they were weavers and expressed their inability to pay the bribe. Again on 04-01-2011 when Sri V.Chandrasekhar met Sri E.Eshwar at his office and requested him to submit the inquiry report to the Assistant Director, Sri Golla Eshwar reiterated his earlier demand of Rs.5000/-, (Rupees Five thousand only), as bribe and also stated that without payment of bribe amount, he would not submit his report. When Sri V.Chandrasekhar pleaded, Sri G.Eshwar turned deaf-ear. As there was no other remedy, Sri V.Chandrasekhar reluctantly agreed to pay the bribe amount and informed Sri Golla Eshwar that he would meet him along with the bribe amount in a week. But, neither Sri V. Chandrasekhar nor their society President Sri Peddaiah was willing to pay the bribe amount to Sri G.Eshwar. Sri V.Chandrasekhar also apprehended that, if the bribe amount was not paid, Sri G.Eshwar would not submit his report to the Assistant Director, Handlooms & Textiles, Nalgonda. Hence, he has requested to take necessary action against Sri G.Eshwar, Development Officer (Handlooms and Textiles), Nalgonda. The Deputy Superintendent of Police, Anti Corruption Bureau, Hyderabad Region, Hyderabad after due enquiry registered a Case in Cr.No.3/ACB-HR/2011 under section 7 of the Prevention of Corruption Act, 1988 on 11.01.2011 at 14.00 hours and investigated into;

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3. And whereas, it is alleged that on the date of trap i.e., on 11.01.2011 Sri V.Chandra Sekhar after leaving the trap party, proceeded to the Rudrama Devi building on foot, followed by the trap party. Sri V.Chandrasekhar went to first floor of the building and found Sri G.Eshwar, Development Officer in the room and one Watchman was near the staircase. When Sri V.Chandrasekhar paid compliments, Sri G.Eshwar, Development Officer reciprocated and offered him a chair. Then Sri G.Eshwar, Development Officer enquired him whether the demanded bribe amount was brought. On the affirmative reply of Sri V.Chandrasekhar, Sri G.Eshwar, Development Officer asked him to pay the bribe amount. Then Sri V.Chandrasekhar took out the tainted amount from his left front shirt pocket and offered it to Sri G.Eshwar, Development Officer who received the said tainted amount with his right hand, Counted the amount and then kept the amount in his left side pant pocket with his left hand. When Sri V.Chandrasekhar asked about the report, Sri G.Eshwar, Development Officer informed him that he has been preparing the report by writing the details since morning and went on writing the report. Sri V.Chandrasekhar waited for one hour by sitting in front of Sri G.Eshwar, Development Officer and as the report was not completed, he came outside informing Sri G.Eshwar, Development Officer that he would come in the next day morning. Then, Sri V.Chandra Sekhar came outside of the building and gave the prearranged signal to the Trap Party. The Phenolphthalein test conducted over both the hand fingers of Sri G.Eshwar, Development Officer and the inner portion of his left side pant pocket, which came into contact with the tainted amount yielded positive results. The tainted currency of Rs.5,000/-, (Rupees Five thousand only), was recovered at the instance of Sri G.Eshwar, Development Officer, from his left side Pant Pocket, in the presence of mediators;

4. And whereas, the said acts of the said Sri Golla Eshwar, Development Officer, O/o Assistant Director, Handlooms and Textiles (H&T), Nalgonda, constitute the offences punishable under sections 7 and 13(1)(d) read with section 13(2) of the Prevention of Corruption Act, 1988;

5. And whereas, the Government of Andhra Pradesh being the competent authority to remove the said Sri G.Eshwar, Development Officer, O/o Assistant Director Handlooms and Textiles (H&T), Nalgonda from service, after carefully examining the material i.e., FIR, Mediators reports of pre and post trap and statements of witnesses placed before them in respect of the above said allegation and having regard to the facts and circumstances of the case, consider that the said Sri G.Eshwar should be prosecuted in the court of law for the afore said offences;

6. Now therefore, in exercise of the powers conferred under clause (b) of sub section (1) of section 19 of the Prevention of Corruption Act, 1988 (Central Act 49 of 1988) the Government of Andhra Pradesh hereby accord sanction for the prosecution of the said Sri Golla Eshwar, Development Officer, O/o Assistant Director Handlooms and Textiles (H&T), Nalgonda for the afore said offences punishable under section 7 and clause (d) of sub-section (1) of section 13 read with sub-section (2) of section 13 of the Prevention of Corruption Act, 1988 and for any other cognate offences punishable under any other provisions of law for the time being in force in respect of the above said allegations and for taking cognizance of the said offence by the court of competent jurisdiction.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

(D.SREENIVASULU)
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Director General,
Anti Corruption Bureau,
A.P, Hyderabad.